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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/288,217	04/08/1999	KAZUMASA OHSUMI	1185.1046/JD	7187
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21171 7590 07/02/2002

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WASHINGTON, DC 20001

EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 07/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/288,217

Applicant(s)

Ohsumi

Examiner

Dung Nguyen

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 12, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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### **DETAILED ACTION**

The request filed on 06/12/2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/288,217 is acceptable and a CPA has been established. An action on the CPA follows.

Applicant's preliminary amendment dated 06/12/2002 has been received and entered.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 8 and 10 stand rejected under 35 U.S.C. 112, second paragraph, as stated in the final office action.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-5 and 7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gunjima et al., US Patent No. 5,587,816, as stated in the previous office action.

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The above claimed are anticipated by Gunjima et al. figure 1 which discloses a liquid crystal display (LCD) device comprising:

- an LCD panel (12);
- a surface light source device provided with a guide plate (3), a light source (1) as claimed;
- a composite optical element having a polarization separating sheet member (6), wherein one face of the polarization separating sheet member provides a light control face (7) which is directed to the surface light source device.

5. Claims 6 and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gunjima et al., US Patent No. 5,587,816, as stated in the final office action.

The above claimed are anticipated by Gunjima et al. figure 2 which discloses a liquid crystal display (LCD) device comprising:

- an LCD panel (12);
- a surface light source device provided with a guide plate (3), a light source (1) as claimed;
- a composite optical element having a polarization separating sheet member (6b), a polarized light separator (6a) wherein one face of the polarization separating sheet member provides a light control face (7) which is directed to the surface light source device.

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***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3 , 8 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gunjima et al., US Patent No. 5,587,816 , in view of Applicant's admitted prior art (APA), as stated in the final office action.

Regarding the above claims, Gunjima et al. disclose the claimed invention as described above except for a light scattering pattern providing on an emission face of the guide plate, and a distance between the light guide and prism. It would have been obvious to one of ordinary skill in the art to provide a light scattering pattern providing on an emission face of the guide plate as well as the distance between the surface light source device and the projection rows of the prismatic element being in the range of 0.5 to 5 (mm) as shown in APA (figure 2) since it is a common practice in the art to promote light from a guide plate to a liquid crystal display panel.

***Remarks***

Applicant's amendment dated 06/12/2002 has been received. However, such amendment has not been entered yet as stated in the Advisory Action dated 05/13/2002. In addition, such amendment has not been requested to enter when filing the request CPA filed on 06/12/2002.


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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dung Nguyen whose telephone number is (703) 305-0423. The fax phone number for this Group is (703) 308-7722.

Any information of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0956.

DN  
06/28/2002

  
William L. Sikes  
Supervisory Patent Examiner  
Group 2871